

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**TERRENCE JOHNSON, JIM HARRIS,)
ALEXANDER FRIEDMAN, and)
JOSHUA ROBERTS)**

Plaintiffs,)

vs.)

**PHIL BREDESEN, Governor of the State)
of Tennessee, BROOK THOMPSON,)
Coordinator of Elections, RILEY)
DARNELL, Secretary of State of)
Tennessee, JAMES JOHNSON,)
Administrator of Elections for Shelby)
County, KIM BUCKLEY, Administrator)
of Elections for Madison County, and)
RAY BARRETT, Administrator of)
Elections for Davidson County, in their)
official capacities,)**

Defendants.)

**Case No. 03-08-0187
The Honorable Thomas
A. Wiseman, Jr., Presiding.**

**RESPONSE TO PLAINTIFFS' MOTION FOR JUDGMENT ON THE
PLEADINGS OR IN THE ALTERNATIVE MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Phil Bredesen, Brook Thompson, and Riley Darnell (collectively, "State Defendants"), hereby file this Response to Plaintiffs' Motion for Judgment on the Pleadings or in the Alternative Motion for Partial Summary Judgment.

Because Plaintiffs seek judgment on the exact issues and counts of the Complaint which State Defendants have already filed their own Motion for Judgment on the Pleadings, State Defendants hereby incorporate their prior Motion and Reply to

Plaintiffs' Response to their Motion to this response and rely upon those documents as their response to Plaintiffs' Motion.

In addition, as a response to Plaintiffs' Statement of Material facts, State Defendants accept those facts as true strictly for the purposes of the motion currently before this Court.

Finally, Defendants would like to bring the Court's attention to one currently disputed issue of fact that does not appear on Plaintiffs' Statement of Undisputed Facts. Defendants dispute that the challenged statutes disproportionately affect the indigent.

Respectfully submitted,

ROBERT E. COOPER, JR.
Attorney General and Reporter

/s William Helou
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CERTIFICATE OF SERVICE

This is to certify that I have served a copy of this response by electronic means through the Court's filing system to the parties listed below:

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This, the 25th day of August, 2008.

/s William Helou
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